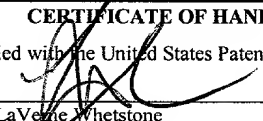
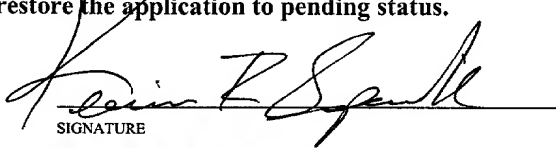


FORM PTO-1390 OFFICE (REV 11-2000) TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. § 371		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK ATTORNEY'S DOCKET NUMBER 449122006100 U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 09/889244 <small>Not yet assigned</small>
INTERNATIONAL APPLICATION NO. PCT/DE00/00042	INTERNATIONAL FILING DATE 5 January 2000	PRIORITY DATE CLAIMED 14 January 1999
TITLE OF INVENTION TAMPER-PROOF COMMUNICATION TERMINAL		
APPLICANT(S) FOR DO/EO/US Klaus-Peter KARMANN		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (PCT Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input checked="" type="checkbox"/> An English language translation of the International Application under PCT Article 19 (35 U.S.C. 371(c)(2)). a. <input checked="" type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)). a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).		
Items 11. to 16. below concern document(s) or information included:		
11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A FIRST preliminary amendment. 14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A change of power of attorney and/or address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825. 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information: 1. International Search Report 2. IPER 3. Application Data Sheet 4. Return receipt postcard.		
CERTIFICATE OF HAND DELIVERY I hereby certify that this correspondence is being hand filed with the United States Patent and Trademark Office in Washington, D.C. on July 13, 2001.  LaVerne Whetstone		

U.S. APPLICATION NO. (if known, see 37 CFR 1.51) 09/889244		INTERNATIONAL APPLICATION NO. PCT/DE00/00042		ATTORNEY'S DOCKET NUMBER: 449122006100	
21. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO.....\$1,000.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO.....\$860.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$710.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provision of PCT Article 33(1)-(4)\$690.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4)\$100.00				CALCULATIONS PTO USE ONLY	
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$860.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$0	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$0	
Total claims	4 - 20 =	0	x \$18.00	\$0	
Independent claims	1 - 3 =	0	x \$80.00	\$0	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$270.00	\$0	
TOTAL OF ABOVE CALCULATIONS =				\$860.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$0	
SUBTOTAL =				\$860.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+	\$0
TOTAL NATIONAL FEE =				\$860.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$0
TOTAL FEES ENCLOSED =				\$860.00	
				Amount to be refunded:	\$
				charged:	\$
a. <input checked="" type="checkbox"/> Please charge my Deposit Account No. 03-1952 in the amount of \$860.00 to cover the above fees. A duplicate copy of this sheet is enclosed. <i>please reference 449122006100</i> b. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment to Deposit Account No. 03-1952 . A duplicate copy of this sheet is enclosed.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO:					
Kevin R. Spivak Morrison & Foerster LLP 2000 Pennsylvania Avenue, N.W. Washington, D.C. 20006-1888			 SIGNATURE Kevin R. Spivak Registration No. 43,148		

09/889244

PATENT

Docket No. 449122006100

JC18 Rec'd PCT/PTO 13 JUL 2001

CERTIFICATE OF HAND DELIVERY

I hereby certify that this correspondence is being hand filed with the United States Patent and Trademark Office in Washington, D.C. on July 13, 2001.

LaVerne Wheelstone

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Klaus-Peter KARMANN

Serial No.: Not yet Assigned

Filing Date: July 13, 2001

For: TAMPER-PROOF COMMUNICATION
TERMINAL

Examiner: Not yet Assigned

Group Art Unit: Not yet Assigned

PRELIMINARY AMENDMENT

Commissioner for Patents
Washington, D.C. 20231

Sir:

Prior to the examination on the merits, please amend this application as follows:

In the Drawings:

Please amend the specification to add Figure 1, as attached hereto.

In the Specification:

On page 1 before the title, please delete the following:

Description

On page 1 between lines 4 and 5, please insert the following:

CLAIM FOR PRIORITY

This application claims priority to International Application No. PCT/DE00/00042 which was published in the German language on July 20, 2000.

TECHNICAL FIELD OF THE INVENTION

The invention relates to a communication terminal, and in particular, to a ready-to-receive communication terminal to protect against unauthorized users.

BACKGROUND OF THE INVENTION

On page 1 between lines 29 and 30, please insert the following:

SUMMARY OF THE INVENTION

In one embodiment of the invention, there is a communication terminal having a device which, in the terminal's ready-to-receive condition, asks the user for authentication before a cost-incurring use event is initiated.

In one aspect of the invention, the user is authenticated using a fingerprint sensor before a cost-incurring use event is initiated.

In another embodiment of the invention, the fingerprint sensor is mounted at a position on the housing surface at which a finger can easily be placed permanently on the sensor when the user's hand is in a normal posture, so that a series of repeated authentication operations in the case of a series of a plurality of cost-incurring use events can also take place without any active involvement of the user.

In still another embodiment of the invention, a device which repeatedly asks for authentication over the course of time of a cost-incurring use event.

BRIEF DESCRIPTION OF THE DRAWINGS

Figure 1 is an exemplary embodiment of the present invention.

DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENTS

Please replace the paragraph beginning on line 30 of page 1 with the following rewritten paragraph:

The communication terminal of the present invention has a device which, in the terminal's ready-to-receive condition, asks the user for authentication before a cost-incurring use event is initiated.

Please delete lines 1-2 of page 2.

Please replace the paragraph beginning on line 5 of page 2 with the following rewritten paragraph:

The device for requesting authentication can be produced by a suitable extension to the software of conventional mobile telephones. One having ordinary skill in the art will recognize that this invention is not limited to mobile telephones, but may also be applied to any mobile or non-mobile device such as a PDA, WAP, etc. There is a constantly growing diversity of different types of mobile or non-mobile communication terminals in which there is the risk of them being used subject to cost in the ready-to-receive condition by unauthorized parties at the expense of the authorized user. The invention can be used in conjunction with all such terminals.

On page 4, line 1, please replace "Patent Claims" with --WHAT IS CLAIMED IS--.

In the Claims:

4. (Amended) The communication terminal as claimed in claim 2, having a device which repeatedly asks for authentication over the course of time of a cost-incurring use event.

In the Abstract:

Please replace the Abstract in its entirety with the Abstract attached herto.

REMARKS

The above amendments to the specification, claims and abstract have been made to place the application in proper U.S. format and to conform with proper grammatical and idiomatic English. None of the amendments herein are made for reasons related to patentability. No new matter has been added.

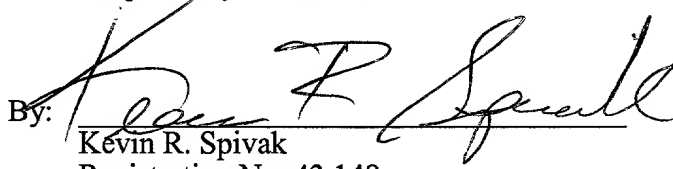
Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "**Version with markings to show changes made**".

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 449122006100. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Dated: July 13, 2001

By:


Kevin R. Spivak
Registration No. 43,148

Morrison & Foerster LLP
2000 Pennsylvania Avenue, N.W.
Washington, D.C. 20006-1888
Telephone: (202) 887-6924
Facsimile: (202) 263-8396

VERSION WITH MARKINGS TO SHOW CHANGES MADE

For the convenience of the Examiner, the changes made are shown below with deleted text in strikethrough and added text in underline.

In the Drawings:

Please amend the specification to add Figure 1, as attached hereto.

In the Specification:

Page 1 before the title, please delete the following:

~~Description~~

Page 1 between lines 4 and 5 has been amended to include the following insert:

CLAIM FOR PRIORITY

This application claims priority to International Application No. PCT/DE00/00042 which was published in the German language on July 20, 2000.

TECHNICAL FIELD OF THE INVENTION

The invention relates to a communication terminal, and in particular, to a ready-to-receive communication terminal to protect against unauthorized users.

BACKGROUND OF THE INVENTION

Page 1 between lines 29 and 30 has been amended to include the following insert:

SUMMARY OF THE INVENTION

In one embodiment of the invention, there is a communication terminal having a device which, in the terminal's ready-to-receive condition, asks the user for authentication before a cost-incurring use event is initiated.

In one aspect of the invention, the user is authenticated using a fingerprint sensor before a cost-incurring use event is initiated.

In another embodiment of the invention, the fingerprint sensor is mounted at a position on the housing surface at which a finger can easily be placed permanently on the sensor when the user's hand is in a normal posture, so that a series of repeated authentication operations in the case of a series of a plurality of cost-incurring use events can also take place without any active involvement of the user.

In still another embodiment of the invention, a device which repeatedly asks for authentication over the course of time of a cost-incurring use event.

BRIEF DESCRIPTION OF THE DRAWINGS

Figure 1 is an exemplary embodiment of the present invention.

DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENTS

Paragraph beginning on line 30 of page 1 has been amended as follows:

~~The present invention solves this problem by specifying a communication terminal having the features according to claim 1. This~~ The communication terminal of the present invention has a device which, in the terminal's ready-to-receive condition, asks the user for authentication before a cost-incurring use event is initiated.

Paragraph beginning on line 1 of page 2 has been amended as follows:

~~Advantageous developments of the invention are the subject matter of subordinate~~
~~claims.~~

Paragraph beginning on line 5 of page 2 has been amended as follows:

The device for requesting authentication can be produced ~~most simply~~ by a suitable extension to the software of conventional mobile telephones. ~~It is naturally not limited to mobile telephones.~~ One having ordinary skill in the art will recognize that this invention is not limited to mobile telephones, but may also be applied to any mobile or non-mobile device such as a PDA, WAP, etc. There is a constantly growing diversity of different types of mobile or non-mobile communication terminals in which there is the risk of them being used subject to cost in the ready-to-receive condition by unauthorized parties at the expense of the authorized user. The invention can be used in conjunction with all such terminals.

On page 4, line 1, please replace "Patent Claims" with --WHAT IS CLAIMED IS--.

In the Claims:

4. (Amended) The communication terminal as claimed in ~~one of the preceding claims~~ claim 2, having a device which repeatedly asks for authentication over the course of time of a cost-incurring use event.

In the Abstract:

Please replace the Abstract in its entirety with the Abstract attached herto.

COMMUNICATION TERMINAL

Abstract

The owner of a ready-to-receive communication terminal is protected against misuse by unauthorized parties, e.g. in the event of the terminal being lost or temporarily left unattended, because, in the terminal's ready-to-receive condition, the user is asked for authentication before a cost-incurring use event is initiated. This authentication can be provided in a very convenient manner, e.g. using a fingerprint sensor.

11/PRTS

09/889244

GR 99 P 1022 DE

JC18 Rec'd PCT/PTO 13 JUL 2001

Description

Communication terminal

5 Mobile telephones today are not protected
against misuse in the ready-to-receive condition
because, on the basis of the GSM standard, for example,
the "PIN" needs to be entered so that the terminal can
connect to the mobile radio network. After entry of the
10 PIN, which serves to authenticate the authorized user,
although the mobile telephone is ready to receive, it
can be used unhindered and without limitation by anyone
who takes possession of it, and is therefore not
protected against misuse.

15 Should the appliance, in the ready-to-receive
condition, be left unattended or be lost by the
authorized user, or should it be stolen, a finder or a
thief could use it to cause great financial loss,
because he could use the appliance to telephone
20 unhindered at the cost of the owner of the SIM card
located in the appliance, so long as the appliance is
not turned off. With a commercially available charger,
this period of time is virtually unlimited.

Only when the owner of the SIM card notices the
25 loss, which, particularly in the case of occasional
users, under unfortunate circumstances, may take days
or even weeks, does he have the opportunity to have the
SIM card disabled. By that time, immense financial loss
may have arisen.

30 The present invention solves this problem by
specifying a communication terminal having the features
according to claim 1. This communication terminal has a
device which, in the terminal's ready-to-receive
condition, asks the user for authentication before a
35 cost-incurring use event is initiated.

Advantageous developments of the invention are the subject matter of subordinate claims.

The invention is described in more detail below with the aid of preferred exemplary embodiments.

5 The device for requesting authentication can be produced most simply by a suitable extension to the software of conventional mobile telephones. It is naturally not limited to mobile telephones. There is a constantly growing diversity of different types of
10 mobile or nonmobile communication terminals in which there is the risk of them being used subject to cost in the ready-to-receive condition by unauthorized parties at the expense of the authorized user. The invention can be used in conjunction with all such terminals.

15 The software can be extended by providing a software routine which, in the terminal's ready-to-receive condition, asks the user for authentication before a cost-incurring use event is initiated. Examples of cost-incurring use events are setup of a
20 charge-incurring connection, calling of a cost-incurring added-value service etc. In the simplest case, authentication may be provided by entering a sequence of characters and/or digits. It may also be provided in the same way as entering the PIN, which
25 needs to be done on the basis of the GSM standard before the mobile telephone's network search.

 A fingerprint sensor is particularly suitable for detecting authentication information, especially if this sensor is mounted at a position on the housing
30 surface at which a finger can easily be placed permanently on the sensor when the user's hand is in a normal posture, so that a series of repeated authentication operations in

the case of a series of a plurality of cost-incurring use events can also take place without any active involvement of the user.

With some types of cost-incurring terminal use,
5 further charges are continuously incurred over time. In such cases, it is particularly advantageous to configure the device such that it repeatedly asks for authentication over the course of time of a cost-incurring use event. To this end, a corresponding
10 software routine needs to ask for authentication at fixed intervals of time or randomly, for example. This embodiment of the invention can be in a particularly convenient form for the user if it is combined with the fingerprint sensor.

15 On the basis of the present description, it is clear to the person skilled in the art that the device for requesting the authentication can be realized not only by means of a software extension, but also by means of a suitable hardware extension or by means of a
20 combination of both measures.

Patent Claims

1. A communication terminal having a device which, in the terminal's ready-to-receive condition, asks the user for authentication before a cost-incurring use event is initiated.

2. The communication terminal as claimed in claim 1, in which the user is authenticated using a fingerprint sensor before a cost-incurring use event is initiated.

3. The communication terminal as claimed in claim 1, in which the fingerprint sensor is mounted at a position on the housing surface at which a finger can easily be placed permanently on the sensor when the user's hand is in a normal posture, so that a series of repeated authentication operations in the case of a series of a plurality of cost-incurring use events can also take place without any active involvement of the user.

4. The communication terminal as claimed in one of the preceding claims having a device which repeatedly asks for authentication over the course of time of a cost-incurring use event.

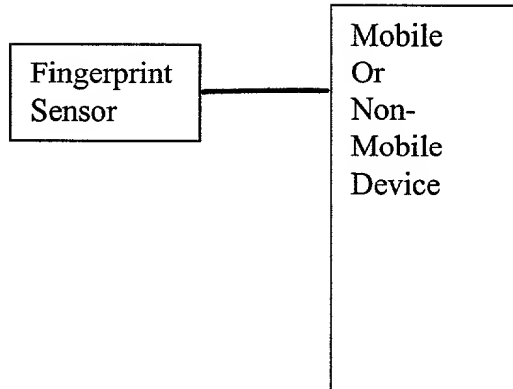


FIGURE 1

Rec'd PCT/PC 27 NOV 2001

09/889244
PATENT
Docket No. 449122006100

DECLARATION FOR UTILITY PATENT APPLICATION

AS A BELOW-NAMED INVENTOR, I HEREBY DECLARE THAT:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: TAMPER-PROOF COMMUNICATION TERMINAL, the specification of which is attached hereto unless the following box is checked:

☒ was filed on July 13, 2001 as United States Application Serial No. 09/889,244.

I HEREBY STATE THAT I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE.

I acknowledge the duty to disclose information which is material to the patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

Application No.	Country	Date of Filing (day/month/year)	Priority Claimed?
19901155.9	Germany	14/01/1999	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Serial No.	Filing Date

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to

patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

Application Serial No.	Filing Date	Status
PCT/DE00/00042	05/01/2000	<input type="checkbox"/> Patented <input checked="" type="checkbox"/> Pending <input type="checkbox"/> Abandoned

I hereby appoint the following attorneys and agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Lisa A. Amii (Reg No. 48,199)
 Mehran Arjomand (Reg No. 48,231)
 Sanjay S. Bagade (Reg No. 42,280)
 Shantanu Basu (Reg No. 43,318)
 Vincent J. Belusko (Reg No. 30,820)
 Kimberly A. Bolin (Reg No. 44,546)
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 Paul S. Naik (Reg No. P49,075)
 Martin M. Noonan (Reg No. 44,264)
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 Debra A. Shetka (Reg No. 33,309)
 Rebecca Shortle (Reg No. 47,083)
 Stanley H. Thompson (Reg No. 45,160)
 Brenda J. Wallach (Reg No. 45,193)
 E. Thomas Wheelock (Reg No. 28,825)
 Frank Wu (Reg No. 41,386)

4
David T. Yang (Reg No. 44,415)
George C. Yu (Reg No. 44,418)

Peter J. Yim (Reg No. 44,417)
Karen R. Zachow (Reg No. 46,332)

and:

Please direct all communications to:

Kevin R. Spivak
Morrison & Foerster LLP
2000 Pennsylvania Avenue, N.W.
Washington, D.C. 20006-1888

Please direct all telephone calls to Kevin R. Spivak at (202) 887-6924.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

100
Oct 25, 2001

Date

Klaus-P. Karmann

Name:

Klaus-Peter KARMANN

Residence:

Franz-Albertstr 28CII, Muenchen, Germany, 80999

Citizenship:

GERMAN

DEL

MORRISON & FOERSTER_{LLP}

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the undersigned hereby assign(s), transfer(s) and set(s) over to:

SIEMENS AKTIENGESELLSCHAFT
Wittelsbacherplatz 2, 80333
München GERMANY

(hereinafter designated as the "ASSIGNEE"), its successors and assigns, the entire right, title, and interest for the United States in the invention, and all applications for patent and any Letters Patent which may be granted therefor, including said application, and all United States Letters Patent which may be granted thereof, and all divisions, reissues, continuations and extensions thereof, the said interest being the entire ownership of said Letters Patent when granted to be held by said ASSIGNEE, its successors, assigns or their legal representatives, to the full end of the term for which said Letters Patent may be granted, as fully and entirely as the same would have been and enjoyed by Assignor(s) if this assignment had not been made, the application being known by the title:

TAMPER-PROOF COMMUNICATION TERMINAL

Attorney Docket No.: 449122006100

for which the undersigned has/have executed an application for patent in the United States of America on the same day herewith. Where this instrument is not filed concurrently with the application, the following identifying information may be added after execution:

Serial No.: 09/889,244

Filing Date: July 13, 2001

1. The undersigned hereby agree(s) to sign and execute any further documents and instruments which may be necessary, lawful and proper in the prosecution of said above-named application or in the preparation and prosecution of any continuing, continuation-in-part, substitute, divisional, renewal, reexamination or reissue application or in any amendments, extension of interference proceedings, or otherwise to secure the title thereto to the ASSIGNEE.

2. The undersigned agree(s) to execute all papers and documents and perform any act which may be necessary in connection with claims or provisions of the International Convention for Protection of Industrial Property of similar agreements.

3. The undersigned agree(s) to perform all affirmative acts which may be necessary to obtain a grant of a valid United States patent to the ASSIGNEE.

4. The undersigned hereby authorize(s) and request(s) the Commissioner of Patents in the United States to issue any and all Letters Patent resulting from said application or any division or divisions or continuing applications thereof to the said ASSIGNEE.

5. The undersigned hereby grant(s) to the firm of Morrison & Foerster LLP the power to insert on this assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

IN WITNESS WHEREBY, executed by the undersigned on the date(s) opposite the undersigned name(s).

Oct 25, 2001

Date

Klaus-P. Karmann

Typed Name: Klaus-Peter KARMANN
Franz-Albertstr 28C11
80999, Muenchen
Germany

This assignment may be signed before a U.S. Notary Public or before at least two witnesses who also sign here:

Oct. 25, 2001

Date

Stefanie Benedikt

Typed Name:

Stefanie Benedikt

Oct. 25, 2001

Date

Beate Hitz

Typed Name:

Beate Hitz